

AUG 01 2008

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

VICTOR GONZALEZ VENEGAS,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 06-72103

Agency No. A72-329-343

MEMORANDUM<sup>\*</sup>

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted July 22, 2008<sup>\*\*</sup>

Before: B. FLETCHER, THOMAS, and WARDLAW, Circuit Judges.

Victor Gonzalez Venegas, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order summarily affirming an

---

<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

immigration judge's ("IJ") decision denying his applications for adjustment of status and voluntary departure. We dismiss the petition for review.

We lack jurisdiction to review the IJ's discretionary denial of Venegas' application for adjustment of status. *See* 8 U.S.C. § 1252(a)(2)(B)(i); *Bazua-Cota v. Gonzales*, 466 F.3d 747, 748 (9th Cir. 2006) (per curiam) (order). Venegas' contention that the IJ failed properly to weigh the equities does not present a colorable due process claim over which this court may exercise jurisdiction. *See Bazua-Cota*, 466 F.3d at 749.

We also lack jurisdiction to review the discretionary denial of Venegas' request for voluntary departure. *See* 8 U.S.C. § 1229c(f); *Bazua-Cota*, 466 F.3d at 748 n.1.

**PETITION FOR REVIEW DISMISSED.**